UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

NOTICE OF DOCUMENT DISCREPANCIES

08 JAN 22 PM 4:18

CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

BY: RM DEPUTY

TO: ☐ U. S. DISTRICT JUDGE / ☑ U. S. MAGISTRATE JUDGE Brooks

FROM: R. Mullin, Deputy Clerk RECEIVED DATE: 1/9/2008

CASE NO.: 07cv2183 DMS (RBB) DOCUMENT FILED BY: Petitioner

CASE TITLE: Cunningham v. Marshall

DOCUMENT ENTITLED: Motion for Stay and Abeyance for Federal Habeas Petition

Upon the submission of the attached document(s), the following discrepancies are noted:

✓	*Local Rule*	*Discrepancy*
☐	5.1	Missing time and date on motion and/or supporting documentation
☐	5.3	Document illegible or submitted on thermal facsimile paper
☐	**5.4**	**Document not filed electronically. Notice of Noncompliance already issued.**
☐	7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
☐	7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
☐	7.1 or 47.1	Briefs or memoranda exceed length restrictions
☐	7.1	Missing table of contents
☐	15.1	Amended pleading not complete in itself
☐	30.1	Depositions not accepted absent a court order
☐		Supplemental documents require court order
☐		Default Judgment in sum certain includes calculated interest
X		**OTHER: Document already on file (Docket #3).**

Date forwarded: 1/11/2008

ORDER OF THE JUDGE / MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

☒ The document is to be filed nunc pro tunc to date received.

☐ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☐ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: RBB

Dated: 1/14/2008 By: [signature]

cc: All Parties

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Form # Civ/Crim 35 (4/98) -- [Docuument Discrepancy / Court Order]